



10/09/01

10-15-01
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Docket No.: 98P1008US02

EXPRESS MAIL NO. EL758674946US

Inventor(s): Matthew G. Fishler; Gabriel A. Mouchawar;
and Mark W. KrollTitle: SYSTEM AND METHOD OF GENERATING AN OPTIMAL
THREE-STEP DEFIBRILLATION WAVEFORM FOR USE
IN AN IMPLANTABLE CARDIOVERTER/DEFIBRILLATOR (ICD)BOX PATENT APPLICATION - FEE
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:


This application is a **CONTINUATION-IN-PART** of U.S. Pat. Applic. Serial No. 09/803,271, filed **March 9, 2001**, which is a CIP of 09/073,394, filed May 5, 1998 (now USPN 6,233,483, issued May 15, 2001), which claimed the priority of Prov. Application 60/046,610, filed May 14, 1997.

Submitted herewith for filing are the following documents:

- ☒ 3 page(s) DATA SHEET
☒ 58 page(s) application including 50 pages specification; 7 pages claims, and
1 page abstract
☒ 16 Sheet(s) of Drawings
Formal XX Informal
☒ Declaration
☒ Assignment
☒ Recordation Form Cover Sheet
☒ Power of Attorney by Assignee...
☒ Request and Certification Under 35 USC 122...
☒ Information Disclosure Statement
☒ PTO-1449 and references
☒ Return Postcard

I hereby certify that this New Application is being deposited with the United States Postal Service as "Express Mail" mailing label number **EL758674946US** in an envelope as "Express Mail Post Office to Addressee" addressed to the: Assistant Commissioner for Patents Washington, D.C. 20231, on:

October 9, 2001



Estella Pineiro Date 10/9/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED		NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	21	- 20 =	1	X \$18	\$ 18
B	INDEPENDENT CLAIMS FEE**	3	-3 =	0	X 84	\$ 0
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 18
D	MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$270					
E	BASIC FILING FEE*LARGE ENTITY = \$710					740
F	TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, AND E)					\$ 758**

☒

Charge Deposit Account No. **16-0068**
the amount of

\$758*

A copy of this letter is
enclosed.

☒

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0068

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0068

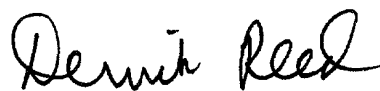
☒ Any patent application processing fees under 37 CFR 1.17.

☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date:

10/9/01



Derrick Reed
Reg. No. 40,138

Correspondence Address:

PACESETTER, INC.
15900 Valley View Court
Sylmar, CA 91392-9221
818/493-2200
818/362-4795 (fax)

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor **Matthew G. Fishler et al.**

Title **SYSTEM AND METHOD OF GENERATING AN OPTIMAL
THREE-STEP DEFIBRILLATION WAVEFORM ...**

Atty Docket Number **98P1008US02**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10/9/01

Date

Derrick Reed

Signature

Derrick Reed, Reg. No. 40,138

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FORM 603-600